

**PROFESSIONAL LICENSURE DIVISION[645]**

**Adopted and Filed**

**Rule making related to licensure and continuing education hours**

The Board of Massage Therapy hereby amends Chapter 131, “Licensure of Massage Therapists,” and Chapter 133, “Continuing Education for Massage Therapists,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is adopted under the authority provided in Iowa Code section 152C.3 as amended by 2022 Iowa Acts, House File 2168, and section 272C.2.

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code section 152C.3 as amended by 2022 Iowa Acts, House File 2168, and section 272C.2.

*Purpose and Summary*

This rule making relates to the Professional Licensure Division’s rule making related to easing certain licensure requirements. This rule making amends the Board’s continuing education rules to allow a minimum of eight hours earned by completing a program in which instruction is provided either in person or through live, real-time interactive media. Rather than require minimum in-person hours, the Board will instead strongly encourage all licensees to obtain in-person instruction whenever feasible, especially when learning new techniques. These amendments also include divisionwide changes to require submitting proof of licensure only for the state where the licensee was most recently licensed and to remove the diploma notarization requirement for foreign-educated massage therapists.

*Public Comment and Changes to Rule Making*

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on November 16, 2022, as **ARC 6650C**. A public hearing was held on December 7, 2022, at 8:30 a.m. in the Fifth Floor Board Conference Room 526, Lucas State Office Building, Des Moines, Iowa. No one attended the public hearing.

Three comments in support of the continuing education changes were received by email at the Board’s office. No changes from the Notice have been made.

*Adoption of Rule Making*

This rule making was adopted by the Board on March 7, 2023.

*Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

*Waivers*

A waiver provision is not included in this rule making because all administrative rules of the professional licensure boards in the Professional Licensure Division are subject to the waiver provisions accorded under 645—Chapter 18.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

*Effective Date*

This rule making will become effective on May 24, 2023.

The following rule-making actions are adopted:

ITEM 1. Amend paragraph **131.2(1)“e,”** introductory paragraph, as follows:

*e.* If the applicant has been issued one or more licenses to practice massage therapy by other issuing jurisdictions, verification of ~~licenses~~ license from ~~every the~~ the jurisdiction in which the applicant has most recently been licensed, sent directly from the issuing ~~jurisdictions~~ jurisdiction to the board. The applicant must also disclose any public or pending complaints against the applicant in any other jurisdiction. Web-based verification may be substituted for verification from the jurisdiction's board office if the verification provides:

ITEM 2. Amend subrule 131.3(2) as follows:

**131.3(2)** Provide a ~~notarized~~ copy of the certificate or diploma awarded to the applicant from a massage therapy program in the country in which the applicant was educated.

ITEM 3. Amend paragraph **131.4(2)“f,”** introductory paragraph, as follows:

*f.* Verification of ~~license(s)~~ license from ~~every the~~ the jurisdiction in which the applicant has most recently been licensed, sent directly from the issuing ~~jurisdiction(s)~~ jurisdiction to the board. The applicant must also disclose any public or pending complaints against the applicant in any other jurisdiction. Web-based verification may be substituted for verification from the issuing jurisdiction's board office if the verification provides:

ITEM 4. Amend paragraph **131.6(1)“c,”** introductory paragraph, as follows:

*c.* Verification of ~~license(s)~~ license from ~~every the~~ the jurisdiction in which the applicant has most recently been licensed, sent directly from the issuing ~~jurisdiction(s)~~ jurisdiction to the board. The applicant must also disclose any public or pending complaints against the applicant in any other jurisdiction. Web-based verification may be substituted for verification from a jurisdiction's board office if the verification provides:

ITEM 5. Amend subparagraph **131.9(2)“c”(2),** introductory paragraph, as follows:

(2) Verification of the ~~license(s)~~ license from ~~every the~~ the jurisdiction in which the applicant ~~is or has been licensed and is or has~~ most recently been practicing during the time period the Iowa license was inactive, sent directly from the ~~jurisdiction(s)~~ jurisdiction to the board office. The applicant must also disclose any public or pending complaints against the applicant in any other jurisdiction. Web-based verification may be substituted for verification from a jurisdiction's board office if the verification includes:

ITEM 6. Amend subparagraph **131.9(2)“d”(3),** introductory paragraph, as follows:

(3) Verification of the ~~license(s)~~ license from ~~every the~~ the jurisdiction in which the applicant ~~is or has been licensed and is or has~~ most recently been practicing during the time period the Iowa license was inactive, sent directly from the ~~jurisdiction(s)~~ jurisdiction to the board office. The applicant must also disclose any public or pending complaints against the applicant in any other jurisdiction. Web-based verification may be substituted for verification from a jurisdiction's board office if the verification includes:

ITEM 7. Amend subrule 133.3(2), introductory paragraph, as follows:

**133.3(2) *Specific criteria.*** A licensee shall obtain a minimum of 16 hours of continuing education credit every two years. A minimum of 8 hours of the 16 hours must be ~~hands-on training~~ earned by completing a program in which instruction is provided in person or through live, real-time interactive media. Although in-person continuing education instruction is not required, the board strongly encourages all licensees to obtain in-person instruction whenever feasible, especially when learning new techniques. ~~A maximum of 8 hours of the 16 hours may be independent study.~~ Licensees may obtain continuing education hours of credit by:

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 4/19/23.